



# PROPOSED AMENDMENTS TO UNIFIED DEVELOPMENT CODE

*Changing how we portray land development  
regulations*

The purpose of this report is to provide a summary of the proposed amendments that have been incorporated into the Unified Development Code. The first part describes the general changes that can't be attributed to a single article and then goes into describing the changes one article at a time.

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# PROPOSED AMENDMENTS TO UNIFIED DEVELOPMENT CODE

*Changing how we portray land development regulations*

## GENERAL AMENDMENTS TO REGULATING LAND DEVELOPMENT

The most obvious change is bringing regulations from several different codes together into one document. Most land development regulations for Gila County will be contained in this one document. We did not include the Floodplain Ordinance due to concerns that were expressed by FEMA that it remains a stand-alone document.

It is not our intent of providing a complete amendment of the codes at this time. There are a few changes included in this document, but our primary objective to reorganize our current regulations into a single document. Most of the redlines in this document do not affect how we regulate development. Some changes are simply changes in citations due to changes in the Arizona Revised Statutes or referrals to sections of the code. It is not the intent to discuss those changes in this report.

We did attempt to eliminate legalese type language to facilitate easier reading and we will be utilizing graphics much more to describe what individual regulations actually mean.

## ARTICLE #1 GENERAL PROVISIONS

1. Added a new item #7 on pages three and four that deals with **“Accessory Uses and Structures”** Allows structures to be as close as 3 feet from side or rear property lines. Requires the applicant to apply for an administrative variance. Keeps accessory structures out of front yard and allows accessory structures without primary use with a Use Permit
2. The amendments to Nonconforming regulations are primarily to do with more clearly stating the application of these regulations to nonconforming uses that exist at the time this code is adopted. There are three amendments included that have been implemented in the past through state statutes. Here we simply spell out those statutes in our code with the exception of the first item:
  - a. Section 1-20, Item B.5 allows us to request the removal of nonconforming uses when a rezoning or variance is requested.
  - b. Allows the Board of Supervisors to acquire by purchase or condemnation a nonconforming use or structure.

## **ARTICLE #2 ADMINISTRATION**

This section is new. It states the responsibilities for staff, boards and commissions. Even though this is a new section the only real change from current practices is to allow the commission to make the final decision on conditional use permits with the right to appeal their decision to the Board of Supervisors.

## **ARTICLE #3 PROCEDURES**

1. This is also a new section. The purpose of this section is to list the procedures one would need to follow. As with the preceding section conditional use permits are being changed to allow the Commission to make a decision to approve or deny with appeal rights being assigned to the Board of Supervisors.
2. The Board of Adjustments has been assigned to hear appeals to the Director's decision on use permits. The appeal must be filed within 15 days of the director's decision.
3. Added language that requires a timeframe be included on a temporary use permit.

## **ARTICLE #4 AMENDMENTS**

1. Added a new section for amending the Comprehensive Plan. This is taken directly from the Arizona Revised Statutes.
2. Added a requirement that an application to amend the zoning designation of land other than that owned by the applicant must include a petition with at least 75% of property owners agreeing to the application.

## **ARTICLE #7 RESIDENTIAL ZONING DISTRICTS, SINGLE FAMILY**

1. Article 7-10 include two issues that are applicable to all single family residential zoning districts. This includes the keeping of domestic livestock, and yard sales
2. Included regulation that placed a limit on yard sales of no more than three consecutive days, or more than two consecutive weeks or more than eight times a year.

## **ARTICLE #12 OVERLAY ZONING DISTRICTS**

This is a new section with minor changes such as citations being fixed to this code rather than the Zoning Ordinance. Districts in this section must have a base zoning district from the code. These regulations simply adjust development standards within the hard districts.

## **ARTICLE #14 PARKING REQUIREMENTS**

1. This section was removed from Section 103 of the Zoning Ordinance and given its' own section
2. Added ADA parking requirements as they are currently applied in accordance with federal regulations.

## **ARTICLE #19 WASTEWATER SYSTEMS**

This section needed significant cleanup. When Wastewater was moved into Community Development Division it should have been changed. As it is now it is under the Health Division and not the Community Development Division but is operated by the Community Development Division. The basic change was to delete references to the Health Division. Other changes include the following:

1. The Wastewater Department currently provides training for those who design and install septic systems and perform soil evaluations and not ADEQ. So this change was made to reflect that. The language in this section has been updated to allow professional courses not taught by Gila County Community Development Division.
2. Included language that if a person provided false information on three occasions they could be barred from doing any further soils investigations or future designs of wastewater systems.
3. Included language to define a public nuisance.
4. Added language to provide a 24 hour requirement for cleaning up wastewater spills and included language to turn off water supplies or power sources to the property if spills are not cleaned up.
5. Provides language to give authority for enforcement to the Community Development Division
6. Provided language to allow both civil or criminal violations

## **ARTICLE #21 OUTDOOR LIGHTING**

The only change to this section was to delete a type of bulb that is no longer allowed.

## **ARTICLE #24 PERMITTED USE TABLES**

The intent here was to portray uses in an easier to read manner. There is still a permitted uses section in each zoning district that contains uses with certain criteria attached.